

## REMARKS

The current application stands with the drawings objected to under 37 CFR 1.83(a). As noted above, a set of replacement drawing sheets is enclosed herewith, which should obviate the Examiner's objections.

Claims 1-3 have been rejected under 35 U.S.C. 102(e) as being anticipated by the cited Chuah et al. (Chuah) reference patent. For the reasons below, claims 1-3, as amended are not believed to be anticipated by Chuah.

Claim 1 has been amended to clearly distinguish over Chuah. Support for the amendment to claim 1 is provided by page 5, line 15-20, of the present application, namely the last paragraph of the description.

According to the present invention, after power ramping using preambles, the base station sends a negative acknowledgement if a message was received corrupted, but does not send an acknowledgement of the message if the received message was acceptable. This is in contrast to the system described in Chuah in which all successfully received messages are acknowledged by the base station sending a positive acknowledgement, see Chuah: Figure 5, references 504, 506, 508, Figure 7, references 704, 706, and column 8, lines 12-16.

The present invention according to amended claim 1 is advantageous as messages are only relatively rarely corrupted. Accordingly, there is a significant advantage in that there is less acknowledgement traffic volume in sending only negative acknowledgements (indicating corrupted messages are received by the base station) rather than positive acknowledgements (indicating successful reception of a message by the base station). In systems according to the present invention, if no negative acknowledgement is received, the correct reception is assumed.

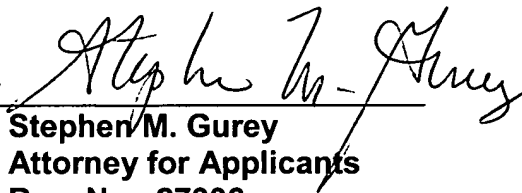
Claim 2 acceptable not least on the basis that it depends on an amended and acceptable base claim.

Claim 3 has been amended in line with claim 1 so as to clearly distinguish over Chuah. As indicated above, after power ramping using preambles, the base station sends a negative acknowledgement if a corrupted message is received but does not send an acknowledgement if the received message is acceptable. For the reasons presented above in connection with amended claim 1, claim 3, as amended, is believed to be allowable.

In view of the foregoing, allowance of the amended claims and passage to issue of the subject application is respectfully requested. If the Examiner should feel that the application is not yet in a condition for allowance and that a telephone interview would be useful, he is invited to contact applicants' undersigned attorney at 973, 386-8252.

Respectfully submitted,

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Attachments